



**STATE OF TENNESSEE  
DEPARTMENT OF COMMERCE AND INSURANCE  
DIVISION OF REGULATORY BOARDS  
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**2014 Board of Accountancy and Architectural and Engineering Examiners Legislative Update**

The Tennessee General Assembly has recently made changes to statutes which may impact you as a holder of a license with the Division of Regulatory Boards. These new changes set out in the following Public Chapters specifically amend the Tennessee Code Annotated as follows:

Public Chapter No. 815, amends Title 40, Chapter 29, relative to restoration of citizenship. This Act allows certain persons beginning on January 1, 2015, who have had their rights of citizenship restored to petition the court for a certificate of employability. If a person obtains such a certificate, an agency may not deny the issuance, restoration or renewal of an occupational license solely on the person's past record of criminal activity but, instead, must consider each such applicant on a case-by-case basis. The certificate of employability preempts any existing rule that authorizes or requires the denial or refusal to issue, restore or renew a license based on the person's past record of criminal history; however, any agency may promulgate new rules which allow or require such a denial or refusal to issue, restore or renew a license notwithstanding the certificate based on the time elapsed since the criminal offense or the nature of the offense having a direct bearing on the fitness or ability to perform any duty or responsibility necessarily related to the sought license. Further, employers that hire individuals holding a certificate of employability may be provided with defenses to certain civil actions based on such hiring. This law became effective on April 28, 2014. A copy of the new law is available for review on the website of the Tennessee General Assembly here:<http://state.tn.us/sos/acts/108/pub/pc0815.pdf>.

Public Chapter No. 881, amends Tenn. Code Ann. §§ 62-76-201 and 202, and Tenn. Code Ann. §§ 68-1-129 and 130, relative to each board and commission created under Title 62. This Act requires each board and commission in consultation with the division of Regulatory Boards develop a plan to create an apprentice program for use by such board or commission. The details of the plan shall include specific items set out in the Public Chapter and shall be submitted to the speaker of the senate, the speaker of the house of representatives, the government operations committees of the senate and the house of representatives, the commissioner of commerce and

insurance, the commissioner of health and the commissioner of labor and workforce development on or before December 31, 2014. If any board or commission has statutorily created apprenticeship programs or previously had such programs, it shall submit a similar report detailing information about such programs as set out in the Public Chapter. This law became effective on May 1, 2014. A copy of the new law is available for review on the website of the Tennessee General Assembly here: <http://state.tn.us/sos/acts/108/pub/pc0881.pdf>.

Public Chapter No. 763, amends Tenn. Code Ann., Title 67, Chapter 4, relative to taxation. This Act requires the Commissioner of the Department of Revenue provide certain licensing agencies a monthly list of licensees who are more than ninety (90) days late paying their professional privilege tax. Upon receipt of such delinquencies, the Department of Commerce and Insurance, Division of Regulatory Boards cannot issue or renew a licensee's license until the delinquency with the Department of Revenue has been resolved and the Department of Revenue has provided a letter notifying the agency of the licensee's tax clearance. The individuals required to pay the professional privilege tax licensed under the Department of Commerce and Insurance includes, but are not limited to Architects, Engineers, Landscape Architects, Certified Public Accountants and Real Estate Principal Brokers. This law became effective on April 24, 2014. A copy of the new law is available for review on the website of the Tennessee General Assembly here: <http://state.tn.us/sos/acts/108/pub/pc0763.pdf>.

If you have any questions or concerns about these new laws, please contact us by email at [reg.boards@tn.gov](mailto:reg.boards@tn.gov).